

UNITED STATES DISTRICT COURT  
FOR THE  
DISTRICT OF NEW HAMPSHIRE

R. Lacey Colligan, M.D.,	§	
<i>Plaintiff,</i>	§	
	§	
v.	§	Civil Action No. 1:16-cv-00513-JD
	§	
Mary Hitchcock Memorial Hospital and	§	
Dartmouth-Hitchcock Clinic,	§	
<i>Defendants.</i>	§	

---

**DEFENDANTS' MOTION FOR SUMMARY JUDGMENT**

---

Pursuant to Rule 56 of the Federal Rules of Civil Procedure, defendants Mary Hitchcock Memorial Hospital and Dartmouth-Hitchcock Clinic (collectively, D-H), by and through their counsel, Sulloway & Hollis, P.L.L.C., hereby move for summary judgment.

Summary judgment must be entered in favor of D-H on R. Lacey Colligan, M.D.'s ("Dr. Colligan's") federal and state law disability discrimination claims because, *inter alia*, she is not entitled to maintain such claims (*e.g.*, she was not an employee of D-H and is not likely to return for medical care), and, in any event, no reasonable jury could find that D-H ended its business relationship with Dr. Colligan's LLC in September 2015 and said she could thereafter access its facilities only for medical care and treatment because of her post-traumatic stress disorder diagnosis. Rather, those decisions were based on her *conduct*.

The grounds for defendants' motion are further set forth in defendants' memorandum of law filed herewith and incorporated herein.

No attempt has been made to obtain the concurrence of plaintiff in the relief sought by this motion, as the motion is dispositive in nature.

WHEREFORE, defendants respectfully request that the Court:

- A. Grant summary judgment in their favor; and
- B. Grant such other and further relief as the Court deems just.

Respectfully submitted,

MARY HITCHCOCK MEMORIAL  
HOSPITAL and DARTMOUTH  
HITCHCOCK CLINIC

By Their Attorneys,  
SULLOWAY & HOLLIS, P.L.L.C.

DATED: June 15, 2018

By: /s/ William D. Pandolph, Esq.  
William D. Pandolph, Esq. #5579  
Natalie J. Laflamme, Esq. #266204  
9 Capitol Street  
Concord, NH 03301  
(603) 224-2341  
email: [wpandolph@sulloyay.com](mailto:wpandolph@sulloyay.com)

**CERTIFICATE OF SERVICE**

I hereby certify that this document filed through the ECF system will be sent and paper copies will be sent to those indicated as non-registered participants on June 15, 2018.

DATED: June 15, 2018

By: /s/ William D. Pandolph  
William D. Pandolph, Esq.